

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

E.A. RENFROE & COMPANY, INC., }
 }
Plaintiff, }
 } CIVIL ACTION NO.
v. } 08-mc-0908-S
 }
CORI RIGSBY, et al., }
 }
Defendants, }
 }
STATE FARM FIRE & CASUALTY }
COMPANY, }
 }
Interested Non-Party. }

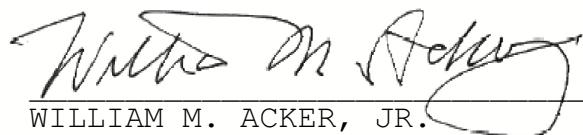
MEMORANDUM OPINION AND ORDER

The cross-motions for summary judgment on both the claim by E.A. Renfroe & Company, Inc. for breach of contract and its claim for an alleged violation of the Alabama Trade Secrets Act in CV-06-AR-1752-S will not come under submission until they are orally argued on July 11, 2008, but the court is sufficiently familiar with the motions to understand why no party has invoked Rule 56(f), F.R.Civ.P., seeking an extension for the purpose of submitting further evidence in support of or in opposition to any of the Rule 56 motions. In other words, movants necessarily take the position that the undisputed facts, as already presented, entitle them to summary judgment, and their opponents have not gainsaid the assertion that all facts necessary to a dispositive ruling have been presented. What, if any, additional discovery may be necessary after rulings on the Rule 56 motions, need not

be addressed until those rulings have been entered. For this reason, the court will withhold ruling on the discovery issues presented in the motions filed by defendants, Cori Rigsby and Kerri Rigsby, and non-party, State Farm Fire and Casualty Company, in the above-entitled miscellaneous case until after the Rule 56 motions in CV-06-AR-1752-S have been ruled on.

Meanwhile, discovery in the above-entitled miscellaneous case is STAYED, except to the extent the parties agree.

DONE this 27th day of June, 2008.



WILLIAM M. ACKER, JR.
UNITED STATES DISTRICT JUDGE